

ESTTA Tracking number: **ESTTA652694**

Filing date: **01/28/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Hachette Filipacchi Presse
Granted to Date of previous extension	01/28/2015
Address	149 Rue Anatole Levallois-Perret Cedex, 92534 FRANCE

Attorney information	Gary H. Fechter McCarter & English, LLP 245 Park Avenue, 27th Floor New York, NY 10167 UNITED STATES gfechter@mccarter.com, lshyavitz@mccarter.com, apang@mccarter.com, dlynch@mccarter.com Phone:(212) 609-6800
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Applicant Information

Application No	86273971	Publication date	09/30/2014
Opposition Filing Date	01/28/2015	Opposition Period Ends	01/28/2015
Applicant	MATTEL, INC. M1-1518 EL SEGUNDO, CA 90245 UNITED STATES		

Goods/Services Affected by Opposition

Class 028. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: DOLLS, DOLL CLOTHING AND DOLL ACCESSORIES

Grounds for Opposition


False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	758137	Application Date	11/14/1962
Registration Date	10/08/1963	Foreign Priority Date	NONE


Word Mark	ELLE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 1945/11/01 First Use In Commerce: 1945/00/00 Magazine

U.S. Registration No.	861159	Application Date	02/01/1966
Registration Date	11/26/1968	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1951/03/20 First Use In Commerce: 1955/10/13 PROMOTING THE SALE OF WOMEN'S APPAREL BY OTHERS BY STAGING STYLE SHOWS AND BY THE PREPARATION OF VARIOUS TYPES OF ADVERTISING		

U.S. Registration No.	1429609	Application Date	11/04/1985
Registration Date	02/17/1987	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0 NEWS AGENCY SERVICES- NAMELY, GATHERINGAND DISSEMINATING NEWS BY ELECTRONIC TRANSMISSION		

U.S. Registration No.	2120688	Application Date	04/08/1994
Registration Date	12/16/1997	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1984/09/14 First Use In Commerce: 1984/09/14 [promoting the goods and services of others through the distribution of discount		

	<p>and/or priority user cards;] offering technical assistance in the establishment and/or operation of fashion shows and beauty pageants, beauty salons and fashion wear boutiques; [copyright management services; advertising slogan licensing services; organizing trade show expositions in the entertainment arts field featuring music, theater and cinematographic products; organizing trade show expositions featuring home and garden decorating products, landscaping products and culinary products]</p> <p>Class 042. First use: First Use: 1984/09/14 First Use In Commerce: 1984/09/14 [interior design services;] [architecture services; landscape gardening services; construction drafting services; technical research in the fields of landscaping, landscape gardening and interior and exterior decorating; consulting services in the fields of landscaping and landscape gardening;] providing consulting to others in the fields of beauty, health and fashion wear; [consulting in the fields of interior and exterior decorating]; consulting services in the field of cooking;[providing temporary housing accommodations, providing boarding houses and convalescent homes; providing personal escort services; providing beauty and hairdressing salons; providing marriage bureaus; providing costume rentals;] providing social clubs; editing written texts for others;[dating services;] [printing services; computer programming services]; [personal letter writing for others;] setting up and compiling data banks; [hotel and restaurant services; retail clothing boutique store services;] mail order services rendered by a clothing boutique; [retail clothing boutique store services offered within a department store]</p>
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U.S. Registration No.	2199132	Application Date	07/12/1993
Registration Date	10/27/1998	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>[amusement apparatus adopted for use with television receivers, namely, audio visual teaching apparatus, namely, film and video projectors for use with or without slides, precision balances, weighing apparatus; dictating machines, record players, audiovideo receivers, audio/video tape recorders, video recorders, remote control apparatus, electronic and computer peripheral juke boxes, computers, data processors;] data bases containing stored information in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty to be read/consulted and or used on computer terminals and video equipment; [blank magnetic data carriers for computer programs and video equipment, for optical, digital or audiovisual use, namely, video discs, interactive video discs, blank and rereadable video disc; magnetic coded cards, blank audio tapes, blank magnetic computer tapes, blank video tapes, prerecorded audio, computer and video tapes featuring themes such as music, theater, cinema, literature, arts, education, home decoration,</p>		

	gardening, landscaping, culinary arts, fashion and beauty; blank audio and blank video cassettes, prerecorded audio and prerecorded video cassettes featuring themes such as music, theater, cinema, literature, arts, education, home decoration, landscaping, culinary arts, fashion and beauty; floppy discs for computers;] compact discs, and audio and/or video discs featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; [exposed camera film and motion picture film featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; computer software programs for use in the field of consulting services on interior and exterior decorating, architecture, landscaping, gardening and horticulture, cuisine, art, furniture, critiques of residences, biographical sketches, travel, tourism, photography, fashion and sporting activities; computer software programs for use in culinary arts, home decoration, fashion and beauty for household and domestic use; computer software programs for use in reviewing developments and current events in the field of cinema, arts, theater, dance, pantomime, mime, circus, musical and literary entertainment; computer software programs for use in the field of documentaries concerning science, natural science, animal and plant life, the human body and its functions, health and diet for humans and animals, learning-a-language programs, arts, cinema and literature; cash registers and calculating machines]
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U.S. Registration No.	2242315	Application Date	05/09/1995
Registration Date	05/04/1999	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 028. First use: First Use: 0 First Use In Commerce: 0 [interactive video game programs; games, namely, board games, card games, manipulative games, toys, namely, wind-up toys, battery operated and non-battery operated mechanical action toys, plush toys, inflatable bath toys, battery operated and non-battery operated stuffed toys, battery operated and non-battery operated dolls]</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 [communication services, namely, radio communication services,] telephone communications services, [telegraph services and video teleconferencing services, telegraph services and video teleconferencing services;] electronic transmission of data, images and sounds and documents via computer terminals; [television and radio broadcasting services; including cable transmissions of such services; telex transmission services; telegram transmission services;] electronic transmission of information from data banks via computer terminals; [cable television transmission services]</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 [home and office delivery of multimedia and audiovisual products, namely, videodiscs, compact discs, interactive discs, and compact discs with read only memory (CD-ROM)]</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 [educational services, namely, administration of cultural exchange programs; entertainment services, namely, sponsoring sports competitions and tournaments; education in the field of music, theater, cinema, literature, arts, home decoration, gardening, landscaping, culinary arts, fashion and beauty rendered through correspondence courses; providing classes of instruction to beginners and advanced persons in the field of music, theater, cinema, literature, arts, education,</p>		


	<p>home decoration, gardening, landscaping, culinary arts, fashion and beauty; conducting educational conferences, workshops and courses of instruction in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; educational conferences, forums, congresses and colloquiums in the field of music, educational services, namely, administration of cultural exchange programs; entertainment services, namely, sponsoring sports competitions and tournaments; education in the field of music, theater, cinema, literature, arts, home decoration, gardening, landscaping, culinary arts, fashion and beauty rendered through correspondence courses; providing classes of instruction to beginners and advanced persons in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; conducting educational conferences, workshops and courses of instruction in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; educational conferences,] forums, [congresses and colloquiums] in the field of [music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts,] fashion and beauty; [publication of books; entertainment in the nature of games and contests, namely, essay-writing and novel-writing contests; beauty pageants; indoor and outdoor sports competitions featuring, hockey, soccer, football and volleyball; production of radio and television programs;] entertainment services, namely, providing an on-line entertainment variety show, featuring [music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts,] fashion and beauty; [entertainment services in the nature of a cable television variety show featuring music, theater, cinema, literature, arts, education home decoration, gardening, landscaping, culinary arts, fashion and beauty; audio recording and production services; libraries and books lending services; video and game library services; video tape film production]</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>[legal consulting services; correspondence exchange services;] licensing of intellectual property; [computer programming services; programming electronic instruments for others; editing of written texts; news syndication reporting; language translation; printing services; rental of computers and rental of display apparatus for use in multimedia presentations using slides, film, tape recordings and special lighting effects;] editing of written texts, [illustrations books,] book reviews, [newspapers,] periodicals, magazines and publications of all types regardless of their form, including electronic and digitalized publications, [desktop publishing of sound and/or visual media - or multimedia software programs for others;] compiling data bases and data banks for use by others; [production and rental of motion picture film, video-cassette tapes and multi-media entertainment software]</p>
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U.S. Registration No.	3727498	Application Date	12/31/2008
Registration Date	12/22/2009	Foreign Priority Date	NONE
Word Mark	ELLE		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Advertising services, in particular by means of advertorials, for others, by means of co-branding operations, by means of the sale and/or rental of display stands, placards and printed and/or electronic promotional media, for the promotion of miscellaneous goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; publication of advertising texts; advertising mailing; online advertising on a computer network; compilation of data and information into databases; commercial information and consulting services in relation to sale and promoting of various goods and services in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; services provided by a franchiser, namely, assistance in the operation or management of commercial companies; arranging of subscriptions for the publication of others in particular newspapers, magazines and electronic publications accessible via and on the Internet; data entry and processing services, namely, data entry, data systematization, computerized file management; services relating to sales promotion activity in all forms and, especially referral services, sponsorship, co-branding operations and campaigns of promotional information concerning various goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic pre-</p>


	<p>parations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; presentation of goods on any communication means for retail sales; commercial information and advice for consumers; organization of exhibitions for commercial or advertising purposes; mail order catalog services, retail store services and online retail store services featuring a wide variety of goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys, printed matter; mail order services, retail store services and on-line retail store services featuring various goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys and printed matter</p>
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U.S. Registration No.	3745516	Application Date	12/20/2005
Registration Date	02/02/2010	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2005/09/15 First Use In Commerce: 2006/06/01 Downloadable electronic publications in the nature of magazines and newsletters in the field of beauty, fashion, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; downloadable ring tones, logos, photos, fashion and beauty videos, games and horoscopes via a global computer network and wireless devices</p>		

	<p>Class 025. First use: First Use: 2005/08/31 First Use In Commerce: 2005/08/31 Sleepwear, namely, short and long gowns, pajamas, sleepshirts, robes, tops, shorts; headband</p> <p>Class 026. First use: First Use: 2004/05/31 First Use In Commerce: 2004/05/31 All kinds of hair accessories, namely, barrettes, bows, elastic ribbons, hair clips, hair bands, ponytail holders, hairpins, non-electric hair rollers, twisters, hair ornaments</p>		
U.S. Registration No.	4284558	Application Date	06/11/2010
Registration Date	02/05/2013	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(e)) Video recordings featuring music, theater, cinema, literature, arts, as well as home decoration, gardening, landscaping, culinary arts, fashion and beauty</p> <p>Class 038. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Transmission and broadcast of images, sounds, data, information by computer terminals; providing user access to a global computer network; interactive communication services, namely, interactive delivery of video over digital networks, transmission of sound and vision via satellite or interactive multimedia networks; information transmission services via digital networks designed for public information; communications on computer networks in general; transmission of information by electronic means; providing discussion forums on the Internet; virtual chat rooms established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information (Based on 44(e)) Television and radio broadcasting services, including cable transmissions of such services; communication services, namely, cable television transmission services; transmission and broadcast of images, sounds, data, information by cable, by data communications channel, namely, cable, satellite and fiber optics and via telecommunication networks, wireless communication networks and the internet; broadcasting of radio and television programs; providing online forums for transmission of messages in the fields of literature, education, home decoration, publication of books</p> <p>Class 041. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Online publication of books, periodicals, newspaper, magazines, illustrations; providing an online magazine featuring information in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; entertainment services, namely, providing an online service featuring photographs, and other multimedia materials in the fields of entertainment, music, theater, cinema,</p>		

	<p>literature, arts, and education; providing a web site featuring information in the fields of music, and commentary and articles of general interest issues in the fields of entertainment and games; (Based on 44(e)) Entertainment in the nature of beauty pageants; production of television programs; entertainment services in the nature of a cable television variety show featuring fashion and beauty; video tape film production; services for the public entertainment, namely, organization of shows for cultural purposes; organization of conferences, forums, congresses, colloquiums in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, media for non business purposes; production and editing of movie, radio and television programs, including computer editing of texts and still or animated images and musical or non-musical sound, for interactive use or not; organization of sports competitions and arranging and conducting competitions in the fields of fitness and exercise, fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, child and adolescent educational issues, home decoration, gardening, landscaping, and media; organization of games and lotteries; production and editing of radio information and entertainment programs; entertainment services, namely, providing on-line computer games; providing a web site featuring non downloadable musical performances, musical videos, video recordings and related film clips; assisting others with online electronic publishing; providing of information via the Internet in the fields of literature and education; publication of books; publishing of illustrations, books, newspapers, and video-cassette tapes</p> <p>Class 042. First use: First Use: 2002/01/31 First Use In Commerce: 2002/01/31 (Based on Use in Commerce) Computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing search engines on the Internet; hosting a website allowing users to download texts, press articles, photographs, telegrams, pictures, logos, messages, data, sounds, ringtones, music, games, video, and information; providing customer-generated content in the nature of customized web pages and other data feed formats featuring user-defined information; hosting digital content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer; (Based on 44(e)) providing a website allowing users to upload and download electronic files; computer programming services; creating and designing web pages for others; providing search platforms to allow users to request content from and receive content to a mobile device; design, development and hosting of data banks, databases and websites for others; providing of information via the Internet in the field of home decoration; providing an online service featuring photographs, and other multimedia materials in the field of home decoration</p> <p>Class 044. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Providing a web site featuring information in the field of beauty; providing an online service featuring photographs, and other multimedia materials in the field of beauty</p> <p>Class 045. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks; providing an online service featuring photographs, and other multimedia materials in the field of fashion</p>
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U.S. Registration No.	1668272	Application Date	01/10/1990
Registration Date	12/17/1991	Foreign Priority Date	07/17/1989
Word Mark	ELLEDECOR		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 [data processing equipment and computers; computer furniture; blank information holders and carriers for computer programs; namely, cards, bands, tapes, ribbons, drums, cassettes, discs, sheets and films; computer software programs and teaching apparatus and instruments consisting of computer drive peripherals and software and computer furniture for use in the field of consulting services on interior and exterior decorating, architecture, landscaping, gardening and horticulture, cuisine, art and sculpture, artifacts, antiques and collections, furniture, household accessories, accoutrements and fixtures, critiques of residences, biographical sketches, electronics for the home, national and international lifestyles, travel, tourism and photography]</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 printed matter and periodicals, namely, newspapers, reviews, pamphlets, brochures, newsletters, information or advertising letters, journals and magazines in the fields of interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine [; art and sculpture, artifacts, antiques and collections; furniture; household accessories, accoutrements, and fixtures; critiques of residences, biographical sketches; electronics for the home; national and international life-styles, travel, tourism and photography; stationery; stationery boxes, cabinets, folders, writing paper and envelopes; paper; namely, bond, carbon, construction, corrugated, crepe, fiber, filler, illustration, lining, magnetic, mimeograph, newsprint, note, onion skin, packing, printing reproduction, tracing, type-written and wrapping; paper-board; blank or partially printed postcards; poster board; printing blocks; cards; namely, blank, business, file, index, gift and greeting, note, playing, record and score cards; cardboard containers (boxes) for wrapping and packaging; plastic for wrapping]</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 [telecommunications services; telephone communication services; audio visual and video communication services; namely, audio visual, cable, and satellite telecommunication broadcast and telephone transmission services, home video, and recorded music services; telegraph services; cable telegram transmission and communication services; electronic mail services, providing electronic access to databanks; teleconferencing services; teletype communication services; operating closed circuit television for others; audio visual and video information and communication utilizing telecomputer terminal units, peripheral systems and video display systems]</p> <p>Class 040. First use: First Use: 0 First Use In Commerce: 0 [film, video tape and audio tape duplication services]</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 [educational and training services in the use and operation of licensees, commercial concessions and franchising networks, including basic training for personnel; fashion trends and clothing design; interior decorating; sewing and weaving; home furnishings, design and decoration of shutters, silk painting; home economics, all conducted through courses, seminars, tutorials, conferences, colloquies, lectures, and closed circuit television broadcasts; production of radio and television programs;] publication of books, [illustrations,] magazines, and newspapers [; correspondence courses in the field of entertainment services through the use of television and/or radio, involving news, documentary, plays,</p>

	<p>movies, docu-drama, melodrama, sports, comedy, variety shows, game shows, serials, education, nature, public information, business, political and social commentary, and public debate programs; film, videotape and audio tape production services; film videotape rental services; audio tape recording studio services, and recordmaster production services]</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>[news agency services; namely, gathering and dissemination of news, news clipping services, and providing information to newspapers, other news services, magazines, publishers, local television stations and national television network-ing,public broadcasting stations; all cabletelevision networks, satellite network-sand systems; syndicated news programs, syndicated columnists, national syn-dicators, and radio stations in the field of national and international news, busi-ness, sports, politics, diplomacy, entertainment, science and medicine, and com-mentary]</p>
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U.S. Registration No.	1732988	Application Date	12/23/1991
Registration Date	11/17/1992	Foreign Priority Date	NONE
Word Mark	ELLE DECOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1989/10/03 First Use In Commerce: 1989/10/03</p> <p>magazines featuring interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine; art and sculpture, artifacts, antiques and col-lections, furniture; household accessories, accoutrements, and fixtures; critiques of residences; biographical sketches; electronics for the home; nationaland inter-national lifestyles, travel, tourism and photography</p>		

U.S. Registration No.	3730569	Application Date	10/20/2008
Registration Date	12/29/2009	Foreign Priority Date	NONE
Word Mark	ELLE GIRL		

Design Mark	 <p>The logo features the word "ELLE" in a tall, condensed, serif font, positioned above the word "girl" in a large, bold, lowercase sans-serif font. The "ELLE" is slightly offset to the left, creating a layered effect.</p>
Description of Mark	<p>The mark consists of the word "ELLE GIRL" in stylized lettering; the word "ELLE" above the word "GIRL" which is in a larger size than the word "ELLE".</p>
Goods/Services	<p>Class 009. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Downloadable electronic newsletters in the field of general interest issues for girls and young women, in the fields offashion, beauty, entertainment, games; video recordings featuring music, general interest issues for girls and young women, in the fields of fashion, beauty, entertainment, games</p> <p>Class 038. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Virtual chat rooms established via textmessaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information</p> <p>Class 041. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Providing on-line publications in the nature of an online magazine, dealing with general interest issues for girls and young women; online magazine featuring information in the fields of fashion, beauty, entertainment; entertainment services, namely, providing on-line computer games; entertainment services, namely, providing a web site featuring musical performances, musical videos, video recordings, related film clips, photographs, and other multimedia materials; providing a web site featuring information in the field of music, and commentary and articles of general interest issues for girlsand young women, in the fields of entertainment and games; all on-line via a global computer network</p> <p>Class 042. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Computer services, namely, providing search platforms to allow users to requestcontent from and receive content to a mobile device; computer services, namely,interactive hosting services which allow the user to publish and share their own content and images online; providing customer-defined generated content and content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer</p> <p>Class 044. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Providing a web site featuring information in the field of beauty</p> <p>Class 045. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Providing a web site featuring information and content in the fields of personal</p>

	relationships, dating and fashion; providing horoscope information via computer networks
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Attachments	73566750#TMSN.png(bytes) 74411619#TMSN.png(bytes) 77642165#TMSN.png(bytes) 78981251#TMSN.png(bytes) 85061017#TMSN.png(bytes) 74017819#TMSN.png(bytes) 77596109#TMSN.png(bytes) Notice of Opposition.pdf(632461 bytes) Exhibit A to Notice of Opposition.pdf(865825 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/ghf/
Name	Gary H. Fechter
Date	01/28/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 86/273,971
Published in the *Official Gazette* on September 30, 2014

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HACHETTE FILIPACCHI PRESSE,	:	Opposition No. _____
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Opposer,	:	
	:	
v.	:	
	:	
MATTEL, INC.,	:	
	:	
Applicant.	:	
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Opposer Hachette Filipacchi Presse, a French corporation with a principal place of business at 149, Rue Anatole France, Levallois-Perret Cedex, 92534, France (“Opposer”), believes that it would be damaged by the issuance of a registration for the trademark ELLE EEDEE as applied for in Application Serial No. 86/273,971 (the “Application”) filed on May 7, 2014 by Mattel, Inc. (“Applicant”), and therefore opposes registration of same under Section 13 of the U.S. Trademark Act, 15 U.S.C. § 1063.

The grounds for the opposition are:

1. On May 7, 2014, Applicant filed the Application for “dolls, doll clothing and doll accessories” in Class 28. The Application was filed based on Applicant’s bona fide intention to use the trademark ELLE EEDEE in commerce.
2. The Application was published for opposition in the Official Gazette on September 30, 2014.
3. Opposer is the owner of the world famous brand ELLE.

4. *ELLE* magazine was launched in the United States in 1985. *ELLE* is said to be the world's largest fashion magazine, with 45 international editions in over 60 countries, and 23 million readers globally. *ELLE* magazine is extensively promoted on the Internet, at newsstands and elsewhere, and enjoys substantial sales and reputation. On information and belief, *ELLE* magazine features extensive coverage (e.g., articles, photography and advertisements) concerning fashion, shopping and entertainment, as well as reviews and advertisements regarding gifts and products. *ELLE* magazine also offers its readers gift recommendations and information on trends in fashion and accessories, including clothing, fashion accessories, games, technological gadgets and other products, on its website, www.elle.com.

5. The ELLE mark has been extensively used in connection with fashion, including apparel and footwear, entertainment, cosmetics, fitness and slimming video workouts in the form of DVD fitness videos and giftware advice as a natural extension of ELLE magazine's focus on fashion, shopping, beauty, pop culture, music, film, art and celebrities. Opposer owns Registration No. 3,727,498 filed under the provision of Section 44(e), for the trademark ELLE covering, among other things, the advertising and promotion of games and toys, clothing, fashion articles and fashion accessories, entertainment and culture.

6. The ELLE mark has also been used extensively in the provision of entertainment services. Among these many activities, Opposer has sponsored the ELLE Women in Music event beginning in 2010, honoring some of the top female entertainers. In Fall 2015, Opposer will sponsor its 22nd annual ELLE Women in Hollywood event, honoring some of the top female film actresses. These events are widely reported in internationally distributed media such as the *Hollywood Reporter*, *Variety*, *Celebrity Gossip*, *The Los Angeles Times*, *The Huffington Post*,

The Denver Post, *YouTube* and, of course in *ELLE* magazine and other widely distributed publications and websites.

7. Since at least as early as 2007, Opposer has used in commerce the trademark *ELLE GIRL* in connection with games and a magazine for girls featuring general interest issues for girls and young women.

8. Not only is *ELLE* famous as a magazine publication in the fashion and entertainment industries, respectively, but *ELLE* also has a strong presence on the Internet through numerous websites, including, but not limited to, www.elle.com, www.elleuk.com and www.ellegirl.com, which redirects to viewers to the elle.com website, each of which has millions of visitors per month.

9. Opposer also enjoys a robust following on social media, including, but not limited to, Facebook and Twitter. There are various Facebook pages dedicated to Opposer, including *ELLE Magazine (US)* and *ELLEgirl.com*. In fact, the *ELLE Magazine (US)* Facebook page is followed and “liked” by over three million Facebook users. Opposer’s *ELLEgirl.com* Facebook page commands over nineteen thousand followers and features content (e.g., articles, photography and advertisements) concerning fashion, entertainment, shopping and other topics of particular interest to girls, teens and young women. Similarly, Opposer owns the popular Twitter accounts *@ELLEMagazine* and *@ELLEgirl_com*. The *@ELLEMagazine* Twitter account boasts over two million followers. *@ELLEgirl_com*, followed by over five thousand Twitter users, features tweets and content of interest to girls, teens and young women.

10. The Trademark Trial and Appeal Board has determined that Opposer's mark ELLE "is famous in connection with its magazine and within the fashion industry generally, and is entitled to broad protection." *Hachette Filipacchi Presse v. Ev Int'l, LLC*, Opposition No. 91174433 (Sept. 5, 2003).

11. Opposer owns numerous registrations for its family of ELLE-formative marks covering, as listed below, various goods and services (collectively, "Opposer's Goods and Services"), including the following (collectively, the "Opposer's Marks"):

Mark	Reg. No.	Reg. Date	Goods / Services
ELLE	0758137	Oct. 8, 1963	Class 16: Magazines
ELLE	0861159	Nov. 26, 1968	Class 35: Promoting the sale of women's apparel by others by staging style shows and by the preparation of various types of advertising
E L L E	1429609	Feb. 17, 1987	Class 42: News agency services- namely, gathering and disseminating news by electronic transmission
ELLE	2120688	Dec. 16, 1997	Class 35: Offering technical assistance in the establishment and/or operation of fashion shows and beauty pageants, beauty salons and fashion wear boutiques Class 42: Providing consulting to others in the fields of beauty, health and fashion wear; consulting services in the field of cooking; providing social clubs; editing written texts for others; setting up and compiling data banks; mail order services rendered by a clothing boutique
E L L E	2199132	Oct. 27, 1998	Class 9: Data bases containing stored information in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary

Mark	Reg. No.	Reg. Date	Goods / Services
			arts, fashion and beauty to be read/consulted and or used on computer terminals and video equipment; compact discs, and audio and/or video discs featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty
ELLE	2242315	May 4, 1999	<p>Class 38: Telephone communications services; electronic transmission of data, images and sounds and documents via computer terminals; electronic transmission of information from data banks via computer terminals</p> <p>Class 41: Forums in the field of fashion and beauty; entertainment services, namely, providing an on-line entertainment variety show, featuring fashion and beauty</p> <p>Class 42: Licensing of intellectual property; editing of written texts, book reviews, periodicals, magazines and publications of all types regardless of their form, including electronic and digitalized publications, compiling data bases and data banks for use by others</p>
ELLE	3727498	Dec. 22, 2009	Class 35: Advertising services, in particular by means of advertorials, for others, by means of co-branding operations, by means of the sale and/or rental of display stands, placards and printed and/or electronic promotional media, for the promotion of miscellaneous goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; publication of advertising texts; advertising mailing; online advertising on a computer network; compilation of data and information into databases. commercial information and consulting services in relation to sale and promoting of various goods and services in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; services provided by a franchiser, namely, assistance in the operation or management of commercial companies; arranging of subscriptions for the publication of others in particular newspapers, magazines and electronic publications accessible via and on the Internet; data entry and processing services, namely, data entry, data systematization, computerized file management. services relating to sales promotion activity in all forms and, especially referral services, sponsorship, co-branding operations and campaigns of promotional information concerning various goods and services, in particular in the fields of fashion, fashion articles and fashion accessories, styling, fashion shows, beauty and hygiene, cosmetics, soaps, perfumery, hygiene preparations, beauty care, body care and body massage, relaxation and thalassotherapy, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, services for providing food and drink, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, interior and exterior decor, landscaping, shows and</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>exhibitions relating thereto, tourism, travel arrangement and organizing holidays, entertainment and culture, organization of events in the field of cinema, theatre, music, forums and meetings, music compilations and mood music compilations, digital images and sounds, games, toys, automobiles and sport, sports activities and competitions, of new technologies, goods related to computers, telephony, robotics, home automation, finance, mutual assistance services; presentation of goods on any communication means for retail sales; commercial information and advice for consumers; organization of exhibitions for commercial or advertising purposes. mail order catalog services, retail store services and online retail store services featuring a wide variety of goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage, beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys, printed matter; mail order services, retail store services and on-line retail store services featuring various goods and services especially in the fields of fashion, clothing, fashion articles and fashion accessories, leather goods and luggage,</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			beauty and hygiene, cosmetics, soaps, perfumery, essential oils, hygiene preparations, toilet articles, infant care, food, dietetic preparations and slimming products, food supplements, gastronomic products, including wines and alcohol, the fitting out of interiors and exteriors, table linen and tableware, household linen, decorative objects, furniture, electronic and electric household appliances, computer and electronic goods, TV sets, Hi-Fi sets, video sets, telephony, robotics, home automation, sport articles, games and toys and printed matter
ELLE	3745516	Feb. 2, 2010	<p>Class 9: Downloadable electronic publications in the nature of magazines and newsletters in the field of beauty, fashion, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; downloadable ring tones, logos, photos, fashion and beauty videos, games and horoscopes via a global computer network and wireless devices.</p> <p>Class 25: Sleepwear, namely, short and long gowns, pajamas, sleepshirts, robes, tops, shorts; headband.</p> <p>Class 26: All kinds of hair accessories, namely, barrettes, bows, elastic ribbons, hair clips, hair bands, ponytail holders, hair pins, non-electric hair rollers, twisters, hair ornaments.</p>
ELLE	4284558	Feb. 5, 2013	Class 9: (Based on 44(e)) Video recordings featuring music, theater, cinema, literature, arts, as well as home decoration, gardening, landscaping, culinary arts, fashion and beauty

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>Class 38: (Based on Use in Commerce) Transmission and broadcast of images, sounds, data, information by computer terminals; providing user access to a global computer network; interactive communication services, namely, interactive delivery of video over digital networks, transmission of sound and vision via satellite or interactive multimedia networks; information transmission services via digital networks designed for public information; communications on computer networks in general; transmission of information by electronic means; providing discussion forums on the Internet; virtual chat rooms established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information (Based on 44(e)) Television and radio broadcasting services, including cable transmissions of such services; communication services, namely, cable television transmission services; transmission and broadcast of images, sounds, data, information by cable, by data communications channel, namely, cable, satellite and fiber optics and via telecommunication networks, wireless communication networks and the internet; broadcasting of radio and television programs; providing online forums for transmission of messages in the fields of literature, education, home decoration, publication of books.</p> <p>Class 41: (Based on Use in Commerce) Online publication of books, periodicals, newspaper, magazines, illustrations; providing an online magazine featuring</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>information in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; entertainment services, namely, providing an online service featuring photographs, and other multimedia materials in the fields of entertainment, music, theater, cinema, literature, arts, and education; providing a web site featuring information in the fields of music, and commentary and articles of general interest issues in the fields of entertainment and games; (Based on 44(e))</p> <p>Entertainment in the nature of beauty pageants; production of television programs; entertainment services in the nature of a cable television variety show featuring fashion and beauty; video tape film production; services for the public entertainment, namely, organization of shows for cultural purposes; organization of conferences, forums, congresses, colloquiums in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, media for non business purposes; production and editing of movie, radio and television programs, including computer editing of texts and still or animated images and musical or non-musical sound, for interactive use or not; organization of sports competitions and arranging and conducting competitions in the fields of fitness and exercise, fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, child and adolescent educational issues, home decoration, gardening, landscaping, and media; organization of games and lotteries; production and editing of radio information</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>and entertainment programs. entertainment services, namely, providing on-line computer games; providing a web site featuring non downloadable musical performances, musical videos, video recordings and related film clips; assisting others with online electronic publishing; providing of information via the Internet in the fields of literature and education; publication of books; publishing of illustrations, books, newspapers, and video-cassette tapes.</p> <p>Class 42: (Based on Use in Commerce) Computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing search engines on the Internet; hosting a website allowing users to download texts, press articles, photographs, telegrams, pictures, logos, messages, data, sounds, ringtones, music, games, video, and information; providing customer-generated content in the nature of customized web pages and other data feed formats featuring user-defined information; hosting digital content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer; (Based on 44(e)) providing a website allowing users to upload and download electronic files; computer programming services; creating and designing web pages for others; providing search platforms to allow users to request content from and receive content to a mobile device; design, development and hosting of data banks, databases and websites for others; providing of information via the Internet in</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>the field of home decoration; providing an online service featuring photographs, and other multimedia materials in the field of home decoration.</p> <p>Class 44: (Based on Use in Commerce) Providing a web site featuring information in the field of beauty; providing an online service featuring photographs, and other multimedia materials in the field of beauty.</p> <p>Class 45: (Based on Use in Commerce) Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks; providing an online service featuring photographs, and other multimedia materials in the field of fashion.</p>
ELLEDECOR	1668272	Dec. 17, 1991	<p>Class 16: Printed matter and periodicals, namely, newspapers, reviews, pamphlets, brochures, newsletters, information or advertising letters, journals and magazines in the fields of interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine</p> <p>Class 41: Publication of books, magazines, and newspapers</p>
ELLE DECOR	1732988	Nov. 17, 1992	<p>Class 16: Magazines featuring interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine; art and sculpture, artifacts, antiques and collections, furniture; household accessories, accoutrements, and fixtures; critiques of residences; biographical sketches; electronics for the home; national and international lifestyles, travel, tourism and photography</p>

Mark	Reg. No.	Reg. Date	Goods / Services
	3730569	Dec. 29, 2009	<p>Class 9: Downloadable electronic newsletters in the field of general interest issues for girls and young women, in the fields of fashion, beauty, entertainment, games; video recordings featuring music, general interest issues for girls and young women, in the fields of fashion, beauty, entertainment, games.</p> <p>Class 38: Virtual chat rooms established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information.</p> <p>Class 41: Providing on-line publications in the nature of an online magazine, dealing with general interest issues for girls and young women; online magazine featuring information in the fields of fashion, beauty, entertainment; entertainment services, namely, providing on-line computer games; entertainment services, namely, providing a web site featuring musical performances, musical videos, video recordings, related film clips, photographs, and other multimedia materials; providing a web site featuring information in the field of music, and commentary and articles of general interest issues for girls and young women, in the fields of entertainment and games; all on-line via a global computer network.</p> <p>Class 42: Computer services, namely, providing search platforms to allow users to request content from and receive content to a mobile device; computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing customer-</p>

Mark	Reg. No.	Reg. Date	Goods / Services
			<p>defined generated content and content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer.</p> <p>Class 44: Providing a web site featuring information in the field of beauty.</p> <p>Class 45: Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks.</p>

Copies of the certificates of registrations for Opposer's Marks are attached as Exhibit A and made of record.

12. Each of Opposer's Marks is valid, subsisting and in full force and effect.
13. Each of Opposer's Marks is at least *prima facie* evidence of the validity of each registration, of Opposer's ownership thereof, and of Opposer's exclusive right to use such registered marks on the goods or services set forth in the registration.
14. Registration Nos. 0758137, 0861159, 1429609, 2120688, 2199132, 2242315, 1668272 and 1732988 are incontestable pursuant to Section 15 of the U.S. Trademark Act, 15 U.S.C. § 1065, and thus serve as conclusive evidence of the validity of Opposer's Marks pursuant to 15 U.S.C. § 1115(b).
15. As of Applicant's filing of the Application on May 7, 2014, Applicant was on constructive notice of Opposer's Marks and Opposer's rights in Opposer's Marks as set forth in the registrations for Opposer's Marks and, on information and belief, was on actual notice of

Opposer's use of and rights in the ELLE mark given the fame of the ELLE mark in the magazine publishing, fashion and entertainment industries.

16. Opposer's rights as conferred by Opposer's Marks were in effect prior to any filing date or date of first use upon which Applicant can rely.

17. Applicant's Mark is confusingly similar to Opposer's Marks and is proposed to be applied to goods that either are identical or similar and closely related to the goods and services offered and sold by Opposer under Opposer's Marks. Applicant's Mark so closely resembles Opposer's Marks as to be likely to be confused therewith and mistaken therefor. Applicant's Mark is deceptively similar to Opposer's Marks so as to cause confusion and lead to deception as to the origin of goods bearing Applicant's Mark.

18. Upon information and belief, goods made in relation to Applicant's Mark will be promoted and sold or offered for sale through the same distribution channels and to the same classes of consumers as goods and services bearing Opposer's Marks.

19. Applicant's Mark suggests an affiliation, connection or sponsorship between Applicant and Opposer, where none exists.

20. Opposer is not affiliated or connected with Applicant; nor has Opposer endorsed or sponsored Applicant.

21. If Applicant is permitted to register Applicant's Mark, the registration will give Applicant a *prima facie* exclusive right to the use of Applicant's Mark in violation and derogation of the established prior rights of Opposer.

**FIRST CLAIM FOR RELIEF
LIKELIHOOD OF CONFUSION**

22. Opposer incorporates by reference Paragraphs 1 through 21, as if fully set forth herein.

23. Applicant's ELLE EEDEE mark is highly similar in sound, appearance and commercial impression to Opposer's Marks, since the dominant element of Applicant's mark is ELLE. In addition Opposer co-brands the ELLE mark for numerous products and services, and thus the additional wording "EDEE" could be viewed as denoting another line extension or co-branding project from Opposer.

24. Applicant's ELLE EEDEE mark is being used in connection with goods that are identical or closely related to the goods and services for which Opposer uses Opposer's Marks and any extension, and are promoted and sold or offered for sale in the same or similar channels of trade, to the same or similar purchasers.

25. Based on the similarities of the marks and the goods and services, the public is likely to associate the goods offered by Applicant under Applicant's Mark with Opposer or with Opposer's Goods and Services to believe that Applicant's goods are sponsored, endorsed or licensed by Opposer, or that there is some relationship between Applicant and Opposer.

26. The granting of a trademark registration for Applicant's ELLE EEDEE mark to Applicant would be contrary to Section 2(d) of the U.S. Trademark Act, 15 U.S.C. § 1052(d), and would violate or diminish the prior and superior rights of Opposer in Opposer's Marks.

27. The presumption of exclusivity that would arise from a registration to Applicant of Applicant's ELLE EEDEE mark is inconsistent with Opposer's prior rights in Opposer's Marks.

28. Opposer will be thus damaged by the registration of Applicant ELLE EEDEE mark because such registration will support and assist Applicant in the confusing and misleading use of the Applicant's ELLE EEDEE mark and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.

**SECOND CLAIM FOR RELIEF
FALSE SUGGESTION OF A CONNECTION WITH OPPOSER**

29. Opposer incorporates by reference Paragraphs 1 through 28, as if fully set forth herein.

30. Applicant has no legitimate connection with Opposer and has no authority or permission to use a trademark suggesting such a connection.

31. Applicant's ELLE EEDEE mark is not registrable pursuant to Section 2(a) of the U.S. Trademark Act, 15 U.S.C. § 1052(a), because it falsely suggests a connection or affiliation with Opposer.

32. Opposer will be damaged by the registration of Applicant's ELLE EEDEE mark on the grounds that Applicant's use and registration of Applicant's Mark will falsely suggest a connection between Applicant and Opposer to the damage of Opposer and injury to the public, in violation of Section 2(a) of the U.S. Trademark Act, 15 U.S.C. § 1052(a).

**THIRD CLAIM FOR RELIEF
DILUTION**

33. Opposer incorporates by reference Paragraphs 1 through 32, as if fully set forth herein.

34. Opposer's ELLE mark is inherently distinctive and has been used in commerce since 1985 in connection with *ELLE* magazine and 1996 in connection with the website

www.elle.com, long before any date on which Applicant may rely for priority purposes. The ELLE mark is also well-known in the fashion, beauty and the entertainment services field, having been featured prominently in connection with annual shows and events promoting women's beauty and women in film. Opposer owns Registration No. 3,727,498, filed under the provision of Section 44(e), for the trademark ELLE covering, among other things, the advertising and promotion of games and toys, clothing, fashion articles and fashion accessories, entertainment and culture. The ELLE mark is also the subject of numerous federal trademark registrations, a number of which are incontestable. In view of the strength and notoriety of the ELLE mark, the duration and extent of Opposer's nationwide use and advertising of the ELLE mark, and the degree of recognition of the ELLE mark, the mark ELLE is famous within the meaning of Section 43(c) of the U.S. Trademark Act, 15 U.S.C. § 1125(c).

35. Applicant's ELLE EEDEE mark was adopted and the application at issue was filed long after Opposer's ELLE mark became famous.

36. Upon information and belief, Applicant applied to register Applicant's ELLE EEDEE mark with full knowledge of the prior use and fame of Opposer's Marks.

37. Applicant's ELLE EEDEE mark is likely to cause, and will cause, dilution of the distinctive value of Opposer's Marks under Section 43(c) of the U.S. Trademark Act, 15 U.S.C. § 1125(c).

38. Opposer will be damaged by the registration of Applicant's ELLE EEDEE mark because it will cause dilution of the distinctive quality of Opposer's Marks. Therefore, registration of Applicant's Mark should be refused under 15 U.S.C. §§ 1125(c) and 1063(a).

WHEREFORE, Opposer requests that this Opposition be sustained, and that the registration of U.S. Trademark Application Serial No. 86/273,971 be refused.

Dated: January 28, 2015

Respectfully submitted.

McCARTER & ENGLISH, LLP

By: 

Gary H. Fechter

Lori J. Shyavitz

Attorneys for Opposer

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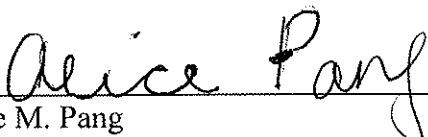
Fax: (212) 609-6921

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing NOTICE OF OPPOSITION has been served by First Class Mail on Applicant's Attorney of Record at the following address:

Matt Solmon
Mattel, Inc.
333 Continental Blvd.
El Segundo, CA 90245-5032

Date: January 28, 2015



Alice M. Pang

EXHIBIT A

United States Patent Office

758,137

Registered Oct. 8, 1963

PRINCIPAL REGISTER Trademark

Ser. No. 157,211, filed Nov. 14, 1962

ELLE

France Editions & Publications (French limited-liability
company)
100 Rue Reaumur
Paris 2^e, France

For: MAGAZINE, in CLASS 38.
First use Nov. 1, 1945; in commerce 1945.
An English translation of the French word "Elle" is
"she."

Int. Cl.: 35

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Renewal

Reg. No. 861,159

Registered Nov. 26, 1968

OG Date Mar. 14, 1989

**SERVICE MARK
PRINCIPAL REGISTER**

ELLE

FRANCE EDITIONS & PUBLICATIONS
(FRANCE CORPORATION)
2, RUE ANCELLE
92200 NEUILLY-SUR-SEINE, FRANCE

PRIORITY CLAIMED UNDER SEC.
44(D) ON FRANCE, FILED 8-2-1965,
REG. NO. 53970, DATED 8-2-1965.
OWNER OF U.S. REG. NO. 758,137.
THE WORD "ELLE" MEANS "SHE"
IN ENGLISH.

FOR: PROMOTING THE SALE OF
WOMEN'S APPAREL BY OTHERS BY
STAGING STYLE SHOWS AND BY THE
PREPARATION OF VARIOUS TYPES
OF ADVERTISING, IN CLASS 101 (INT.
CL. 35).

FIRST USE 3-20-1951; IN COMMERCE
10-13-1955.

SER. NO. 237,756, FILED 2-1-1966.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Mar. 14, 1989.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 42

Prior U.S. Cls.: 100 and 104

Reg. No. 1,429,609

United States Patent and Trademark Office Registered Feb. 17, 1987

SERVICE MARK
PRINCIPAL REGISTER

E L L E

FRANCE EDITIONS ET PUBLICATIONS
(FRANCE JOINT STOCK COMPANY)
6 RUE ANCELLE
NEUILLY-SUR-SEINE, HAUTS-DE-SEINE,
FRANCE

FOR: NEWS AGENCY SERVICES, NAMELY,
GATHERING AND DISSEMINATING NEWS
BY ELECTRONIC TRANSMISSION, IN CLASS
42 (U.S. CLS. 100 AND 104).

OWNER OF FRANCE REG. NO. 926992,
DATED 6-20-1975, RENEWED AS REG. NO.
745834, DATED 6-3-1985, EXPIRES 6-20-1995.

THE ENGLISH TRANSLATION OF THE
FRENCH WORD "ELLE" IN THE MARK IS
"SHE".

SER. NO. 566,750, FILED 11-4-1985.

EDWARD NELSON, EXAMINING ATTORNEY

Int. Cls.: 35 and 42

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,120,688

Registered Dec. 16, 1997

**SERVICE MARK
PRINCIPAL REGISTER**

ELLE

HACHETTE FILIPACCHI PRESSE (FRANCE
CORPORATION)
149, RUE ANATOLE FRANCE
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: PROMOTING THE GOODS AND SERVICES OF OTHERS THROUGH THE DISTRIBUTION OF DISCOUNT AND/OR PRIORITY USER CARDS; OFFERING TECHNICAL ASSISTANCE IN THE ESTABLISHMENT AND/OR OPERATION OF FASHION SHOWS AND BEAUTY PAGEANTS, BEAUTY SALONS AND FASHION WEAR BOUTIQUES; COPYRIGHT MANAGEMENT SERVICES; ADVERTISING SLOGAN LICENSING SERVICES; ORGANIZING TRADE SHOW EXPOSITIONS IN THE ENTERTAINMENT ARTS FIELD FEATURING MUSIC, THEATER AND CINEMATOGRAPHIC PRODUCTS; ORGANIZING TRADE SHOW EXPOSITIONS FEATURING HOME AND GARDEN DECORATING PRODUCTS, LANDSCAPING PRODUCTS AND CULINARY PRODUCTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-14-1984; IN COMMERCE 9-14-1984.

FOR: INTERIOR DESIGN SERVICES; ARCHITECTURE SERVICES; LANDSCAPE GARDENING SERVICES; CONSTRUCTION DRAFTING SERVICES; TECHNICAL RESEARCH IN THE FIELDS OF LANDSCAPING, LANDSCAPE GARDENING AND INTERIOR AND EXTERIOR DECORATING; CONSULTING SERVICES IN THE FIELDS OF LANDSCAPING AND LANDSCAPE GARDENING; PROVIDING CONSULTING TO OTHERS IN THE

FIELDS OF BEAUTY, HEALTH AND FASHION WEAR; CONSULTING IN THE FIELDS OF INTERIOR AND EXTERIOR DECORATING; CONSULTING SERVICES IN THE FIELD OF COOKING; PROVIDING TEMPORARY HOUSING ACCOMMODATIONS, PROVIDING BOARDING HOUSES AND CONVALESCENT HOMES; PROVIDING PERSONAL ESCORT SERVICES; PROVIDING BEAUTY AND HAIRDRESSING SALONS; PROVIDING MARRIAGE BUREAUS; PROVIDING COSTUME RENTALS; PROVIDING SOCIAL CLUBS; EDITING WRITTEN TEXTS FOR OTHERS; DATING SERVICES; PRINTING SERVICES; COMPUTER PROGRAMMING SERVICES; PERSONAL LETTER WRITING FOR OTHERS; SETTING UP AND COMPILING DATA BANKS; HOTEL AND RESTAURANT SERVICES; RETAIL CLOTHING BOUTIQUE STORE SERVICES; MAIL ORDER SERVICES RENDERED BY A CLOTHING BOUTIQUE; RETAIL CLOTHING BOUTIQUE STORE SERVICES OFFERED WITHIN A DEPARTMENT STORE, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-14-1984; IN COMMERCE 9-14-1984.

OWNER OF FRANCE REG. NO. 1,538,354, DATED 6-27-1989, EXPIRES 6-27-1999.

OWNER OF U.S. REG. NOS. 758,137, 1,419,815 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-540,441, FILED 4-8-1994.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,199,132

United States Patent and Trademark Office

Registered Oct. 27, 1998

TRADEMARK
PRINCIPAL REGISTER

E L L E

HACHETTE FILIPACCHI PRESSE (FRANCE
CORPORATION)
149, RUE ANATOLE FRANCE
92534 LEVALLOIS-PERRET, FRANCE

FOR: AMUSEMENT APPARATUS ADOPTED
FOR USE WITH TELEVISION RECEIVERS,
NAMELY, AUDIO VISUAL TEACHING APPA-
RATUS, NAMELY, FILM AND VIDEO PROJEC-
TORS FOR USE WITH OR WITHOUT SLIDES,
PRECISION BALANCES, WEIGHING APPARA-
TUS; DICTATING MACHINES, RECORD
PLAYERS, AUDIOVIDEO RECEIVERS,
AUDIO/VIDEO TAPE RECORDERS, VIDEO
RECORDERS, REMOTE CONTROL APPARA-
TUS, ELECTRONIC AND COMPUTER PERIPH-
ERAL JUKE BOXES, COMPUTERS, DATA
PROCESSORS; DATA BASES CONTAINING
STORED INFORMATION IN THE FIELD OF
MUSIC, THEATER, CINEMA, LITERATURE,
ARTS, EDUCATION, HOME DECORATION,
GARDENING, LANDSCAPING, CULINARY
ARTS, FASHION AND BEAUTY TO BE READ/
CONSULTED AND OR USED ON COMPUTER
TERMINALS AND VIDEO EQUIPMENT;
~~BLANK MAGNETIC DATA CARRIERS FOR~~
COMPUTER PROGRAMS AND VIDEO EQUIP-
MENT, FOR OPTICAL, DIGITAL OR AUDIO-
VISUAL USE, NAMELY, VIDEO DISCS,
INTERACTIVE VIDEO DISCS, BLANK AND
REREADABLE VIDEO DISC; MAGNETIC
CODED CARDS, BLANK AUDIO TAPES,
~~BLANK MAGNETIC COMPUTER TAPES,~~
~~BLANK VIDEO TAPES,~~ PRERECORDED
AUDIO, COMPUTER AND VIDEO TAPES FEA-

TURING THEMES SUCH AS MUSIC, THEA-
TER, CINEMA, LITERATURE, ARTS, EDUCA-
TION, HOME DECORATION, GARDENING,
LANDSCAPING, CULINARY ARTS, FASHION
AND BEAUTY; ~~BLANK AUDIO AND BLANK~~
~~VIDEO CASSETTES,~~ PRERECORDED AUDIO
AND PRERECORDED VIDEO CASSETTES
FEATURING THEMES SUCH AS MUSIC, THE-
ATER, CINEMA, LITERATURE, ARTS, EDU-
CATION, HOME DECORATION, GARDENING,
LANDSCAPING, CULINARY ARTS, FASHION
AND BEAUTY; FLOPPY DISCS FOR COMPUT-
ERS; COMPACT DISCS, AND AUDIO AND/OR
VIDEO DISCS FEATURING THEMES SUCH AS
MUSIC, THEATER, CINEMA, LITERATURE,
ARTS, EDUCATION, HOME DECORATION,
GARDENING, LANDSCAPING, CULINARY
ARTS, FASHION AND BEAUTY; EXPOSED
CAMERA FILM AND MOTION PICTURE FILM
FEATURING THEMES SUCH AS MUSIC, THE-
ATER, CINEMA, LITERATURE, ARTS, EDU-
CATION, HOME DECORATION, GARDENING,
LANDSCAPING, CULINARY ARTS, FASHION
AND BEAUTY; ~~COMPUTER SOFTWARE PRO-~~
~~GRAMS FOR USE IN THE FIELD OF CON-~~
~~SULTING SERVICES ON INTERIOR AND EX-~~
TERIOR DECORATING, ARCHITECTURE,
LANDSCAPING, GARDENING AND HORTI-
CULTURE, CUISINE, ART, FURNITURE, CRI-
TIQUES OF RESIDENCES, BIOGRAPHICAL
SKETCHES, TRAVEL, TOURISM, PHOTOGRA-
PHY, FASHION AND SPORTING ACTIVITIES;
COMPUTER SOFTWARE PROGRAMS FOR
USE IN CULINARY ARTS, HOME DECORA-
TION, FASHION AND BEAUTY FOR HOUSE-

~~HOLD AND DOMESTIC USE; COMPUTER~~
SOFTWARE PROGRAMS FOR USE IN RE-
VIEWING DEVELOPMENTS AND CURRENT
EVENTS IN THE FIELD OF CINEMA, ARTS,
THEATER, DANCE, PANTOMIME, MIME,
CIRCUS, MUSICAL AND LITERARY ENTER-
TAINMENT; COMPUTER SOFTWARE PRO-
GRAMS FOR USE IN THE FIELD OF DOCU-
MENTARIES CONCERNING SCIENCE, NATU-
RAL SCIENCE, ANIMAL AND PLANT LIFE,
THE HUMAN BODY AND ITS FUNCTIONS,
HEALTH AND DIET FOR HUMANS AND ANI-
MALS. ~~LEARNING A LANGUAGE~~ PRO.

~~GRAMS, ARTS, CINEMA AND LITERATURE;~~
CASH REGISTERS AND CALCULATING MA-
CHINES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36
AND 38).

OWNER OF FRANCE REG. NO. 1,538,354,
DATED 6-27-1989, EXPIRES 6-27-1999.

OWNER OF U.S. REG. NOS. 1,419,815, 1,767,100
AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENG-
LISH.

SER. NO. 74-411,619, FILED 7-12-1993.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cls.: 28, 38, 39, 41 and 42

Prior U.S. Cls.: 22, 23, 38, 50, 100, 101, 104, 105
and 107

Reg. No. 2,242,315

United States Patent and Trademark Office

Registered May 4, 1999

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ELLE

HACHETTE FILIPACCHI PRESSE (FRANCE)
JOINT STOCK COMPANY)
149, RUE ANATOLE FRANCE
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: INTERACTIVE VIDEO GAME PROGRAMS; GAMES, NAMELY, BOARDGAMES, CARD GAMES, MANIPULATIVE GAMES, TOYS, NAMELY, WIND-UP TOYS, BATTERY OPERATED AND NON-BATTERY OPERATED MECHANICAL ACTION TOYS, PLUSH TOYS, INFLATABLE BATH TOYS, BATTERY OPERATED AND NON-BATTERY OPERATED STUFFED TOYS, BATTERY OPERATED AND NON-BATTERY OPERATED DOLLS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: COMMUNICATION SERVICES, NAMELY, RADIO COMMUNICATION SERVICES, TELEPHONE COMMUNICATIONS SERVICES, TELEGRAPH SERVICES AND VIDEO TELECONFERENCING SERVICES, TELEGRAPH SERVICES AND VIDEO TELECONFERENCING SERVICES; ELECTRONIC TRANSMISSION OF DATA, IMAGES AND SOUNDS AND DOCUMENTS VIA COMPUTER TERMINALS; TELEVISION AND RADIO BROADCASTING SERVICES; INCLUDING CABLE TRANSMISSIONS OF SUCH SERVICES; TELEX TRANSMISSION SERVICES; TELEGRAM TRANSMISSION SERVICES; ELECTRONIC TRANSMISSION OF INFORMATION FROM DATA BANKS VIA COMPUTER TERMINALS; CABLE TELEVISION TRANSMISSION SERVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: HOME AND OFFICE DELIVERY OF MULTIMEDIA AND AUDIOVISUAL PRODUCTS, NAMELY, VIDEODISCS, COMPACT DISCS, INTERACTIVE DISCS, AND COMPACT DISCS WITH READ ONLY MEMORY (CD-ROM), IN CLASS 39 (U.S. CLS. 100 AND 105).

FOR: EDUCATIONAL SERVICES, NAMELY, ADMINISTRATION OF CULTURAL EXCHANGE PROGRAMS; ENTERTAINMENT SERVICES, NAMELY, SPONSORING SPORTS COMPETITIONS AND TOURNAMENTS; EDUCATION IN THE FIELD OF MUSIC, THEATER, CINEMA, LITERATURE, ARTS, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY RENDERED THROUGH CORRESPONDENCE COURSES; PROVIDING CLASSES OF INSTRUCTION TO BEGINNERS AND ADVANCED PERSONS IN THE FIELD OF MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; CONDUCTING EDUCATIONAL CONFERENCES, WORKSHOPS AND COURSES OF INSTRUCTION IN THE FIELD OF MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; EDUCATIONAL CONFERENCES, FORUMS, CONGRESSES AND COLLOQUIUMS IN THE FIELD OF MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; PUBLI-

CATION OF BOOKS; ENTERTAINMENT IN THE NATURE OF GAMES AND CONTESTS; NAMELY, ESSAY-WRITING AND NOVEL-WRITING CONTESTS; BEAUTY PAGES; INDOOR AND OUTDOOR SPORTS COMPETITIONS FEATURING, HOCKEY, SOCCER, FOOTBALL AND VOLLEYBALL; PRODUCTION OF RADIO AND TELEVISION PROGRAMS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING AN ON-LINE ENTERTAINMENT VARIETY SHOW, FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; ENTERTAINMENT SERVICES IN THE NATURE OF A CABLE TELEVISION VARIETY SHOW FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; AUDIO RECORDING AND PRODUCTION SERVICES; LIBRARIES AND BOOKS LENDING SERVICES; VIDEO AND GAME LIBRARY SERVICES; VIDEO TAPE FILM PRODUCTION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FOR: LEGAL CONSULTING SERVICES; CORRESPONDENCE EXCHANGE SERVICES; LICENSING OF INTELLECTUAL PROPERTY; COMPUTER PROGRAMMING SERVICES; PROGRAMMING ELECTRONIC INSTRUMENTS FOR OTHERS; EDITING OF WRITTEN TEXTS; NEWS SYNDICATION REPORTING; LAN-

GUAGE TRANSLATION; PRINTING SERVICES; RENTAL OF COMPUTERS AND RENTAL OF DISPLAY APPARATUS FOR USE IN MULTIMEDIA PRESENTATIONS USING SLIDES, FILM, TAPE RECORDINGS AND SPECIAL LIGHTING EFFECTS; EDITING OF WRITTEN TEXTS, ILLUSTRATIONS BOOKS, BOOK REVIEWS, NEWSPAPERS, PERIODICALS, MAGAZINES AND PUBLICATIONS OF ALL TYPES REGARDLESS OF THEIR FORM, INCLUDING ELECTRONIC AND DIGITALIZED PUBLICATIONS, DESKTOP PUBLISHING OF SOUND AND/OR VISUAL MEDIA - OR MULTIMEDIA SOFTWARE PROGRAMS FOR OTHERS; COMPILING DATA BASES AND DATA BANKS FOR USE BY OTHERS; PRODUCTION AND RENTAL OF MOTION PICTURE FILM, VIDEO-CASSETTE TAPES AND MULTI-MEDIA ENTERTAINMENT SOFTWARE, IN CLASS 42 (U.S. CLS. 100 AND 101).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 94/543,958, FILED 11-9-1994, REG. NO. 94543958, DATED 11-9-1994, EXPIRES 11-9-2004.

OWNER OF U.S. REG. NOS. 758,137, 1,419,815 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-671,728, FILED 5-9-1995.

RUSS HERMAN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 3,727,498 HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
Registered Dec. 22, 2009 149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET CEDEX, FRANCE 92534

Int. Cl.: 35

SERVICE MARK
PRINCIPAL REGISTER

FOR: ADVERTISING SERVICES, IN PARTICULAR BY MEANS OF ADVERTORIALS, FOR OTHERS, BY MEANS OF CO-BRANDING OPERATIONS, BY MEANS OF THE SALE AND/OR RENTAL OF DISPLAY STANDS, PLACARDS AND PRINTED AND/OR ELECTRONIC PROMOTIONAL MEDIA, FOR THE PROMOTION OF MISCELLANEOUS GOODS AND SERVICES, IN PARTICULAR IN THE FIELDS OF FASHION, FASHION ARTICLES AND FASHION ACCESSORIES, STYLING, FASHION SHOWS, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, HYGIENE PREPARATIONS, BEAUTY CARE, BODY CARE AND BODY MASSAGE, RELAXATION AND THALASSOTHERAPY, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, SERVICES FOR PROVIDING FOOD AND DRINK, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, INTERIOR AND EXTERIOR DECOR, LANDSCAPING, SHOWS AND EXHIBITIONS RELATING THERETO, TOURISM, TRAVEL ARRANGEMENT AND ORGANIZING HOLIDAYS, ENTERTAINMENT AND CULTURE, ORGANIZATION OF EVENTS IN THE FIELD OF CINEMA, THEATRE, MUSIC, FORUMS AND MEETINGS, MUSIC COMPILATIONS AND MOOD MUSIC COMPILATIONS, DIGITAL IMAGES AND SOUNDS, GAMES, TOYS, AUTOMOBILES AND SPORT, SPORTS ACTIVITIES AND COMPETITIONS, OF NEW TECHNOLOGIES, GOODS RELATED TO COMPUTERS, TELEPHONY, ROBOTICS, HOME AUTOMATION, FINANCE, MUTUAL ASSISTANCE SERVICES; PUBLICATION OF ADVERTISING TEXTS; ADVERTISING MAILING; ONLINE ADVERTISING ON A COMPUTER NETWORK; COMPI- LATION OF DATA AND INFORMATION INTO DATABASES; COMMERCIAL INFORMATION AND CONSULTING SERVICES IN RELATION TO SALE AND PROMOTING OF VARIOUS GOODS AND SERVICES IN PARTICULAR IN THE FIELDS OF FASHION, FASHION ARTICLES AND FASHION ACCESSORIES, STYLING, FASHION SHOWS, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, HYGIENE PREPARATIONS, BEAUTY CARE, BODY CARE AND BODY MASSAGE, RELAXATION AND THALASSOTHERAPY, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, SERVICES FOR PROVIDING FOOD AND DRINK, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FUR- NITURE, INTERIOR AND EXTERIOR DECOR, LANDSCAPING, SHOWS AND EXHIBITIONS RELATING THERETO, TOURISM, TRAVEL ARRANGEMENT AND ORGANIZING HOLI- DAYS, ENTERTAINMENT AND CULTURE, ORGANIZATION OF EVENTS IN THE FIELD OF CINEMA, THEATRE, MUSIC, FORUMS AND MEETINGS, MUSIC COMPILATIONS AND MOOD MUSIC COMPILATIONS, DIGITAL IMAGES AND SOUNDS, GAMES, TOYS, AUTOMOBILES AND SPORT, SPORTS ACTIVITIES AND COMPETITIONS, OF NEW TECHNOLOGIES, GOODS RELATED TO COMPUTERS, TELEPHONY, ROBOTICS, HOME AUTOMATION, FINANCE, MUTUAL ASSISTANCE SERVICES; SERVICES PROVIDED BY



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,727,498 A FRANCHISER, NAMELY, ASSISTANCE IN THE OPERATION OR MANAGEMENT OF COMMERCIAL COMPANIES; ARRANGING OF SUBSCRIPTIONS FOR THE PUBLICATION OF OTHERS IN PARTICULAR NEWSPAPERS, MAGAZINES AND ELECTRONIC PUBLICATIONS ACCESSIBLE VIA AND ON THE INTERNET; DATA ENTRY AND PROCESSING SERVICES, NAMELY, DATA ENTRY, DATA SYSTEMATIZATION, COMPUTERIZED FILE MANAGEMENT; SERVICES RELATING TO SALES PROMOTION ACTIVITY IN ALL FORMS AND, ESPECIALLY REFERRAL SERVICES, SPONSORSHIP, CO-BRANDING OPERATIONS AND CAMPAIGNS OF PROMOTIONAL INFORMATION CONCERNING VARIOUS GOODS AND SERVICES, IN PARTICULAR IN THE FIELDS OF FASHION, FASHION ARTICLES AND FASHION ACCESSORIES, STYLING, FASHION SHOWS, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, HYGIENE PREPARATIONS, BEAUTY CARE, BODY CARE AND BODY MASSAGE, RELAXATION AND THALASSOTHERAPY, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, SERVICES FOR PROVIDING FOOD AND DRINK, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, INTERIOR AND EXTERIOR DECOR, LANDSCAPING, SHOWS AND EXHIBITIONS RELATING THERETO, TOURISM, TRAVEL ARRANGEMENT AND ORGANIZING HOLIDAYS, ENTERTAINMENT AND CULTURE, ORGANIZATION OF EVENTS IN THE FIELD OF CINEMA, THEATRE, MUSIC, FORUMS AND MEETINGS, MUSIC COMPILATIONS AND MOOD MUSIC COMPILATIONS, DIGITAL IMAGES AND SOUNDS, GAMES, TOYS, AUTOMOBILES AND SPORT, SPORTS ACTIVITIES AND COMPETITIONS, OF NEW TECHNOLOGIES, GOODS RELATED TO COMPUTERS, TELEPHONY, ROBOTICS, HOME AUTOMATION, FINANCE, MUTUAL ASSISTANCE SERVICES; PRESENTATION OF GOODS ON ANY COMMUNICATION MEANS FOR RETAIL SALES; COMMERCIAL INFORMATION AND ADVICE FOR CONSUMERS; ORGANIZATION OF EXHIBITIONS FOR COMMERCIAL OR ADVERTISING PURPOSES; MAIL ORDER CATALOG SERVICES, RETAIL STORE SERVICES AND ONLINE RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF GOODS AND SERVICES ESPECIALLY IN THE FIELDS OF FASHION, CLOTHING, FASHION ARTICLES AND FASHION ACCESSORIES, LEATHER GOODS AND LUGGAGE, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, ESSENTIAL OILS, HYGIENE PREPARATIONS, TOILET ARTICLES, INFANT CARE, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, ELECTRONIC AND ELECTRIC HOUSEHOLD APPLIANCES, COMPUTER AND ELECTRONIC GOODS, TV SETS, HI-FI SETS, VIDEO SETS, TELEPHONY, ROBOTICS, HOME AUTOMATION, SPORT ARTICLES, GAMES AND TOYS, PRINTED MATTER; MAIL ORDER SERVICES, RETAIL STORE SERVICES AND ON-LINE RETAIL STORE SERVICES FEATURING VARIOUS GOODS AND SERVICES ESPECIALLY IN THE FIELDS OF FASHION, CLOTHING, FASHION ARTICLES AND FASHION ACCESSORIES, LEATHER GOODS AND LUGGAGE, BEAUTY AND HYGIENE, COSMETICS, SOAPS, PERFUMERY, ESSENTIAL OILS, HYGIENE PREPARATIONS, TOILET ARTICLES, INFANT CARE, FOOD, DIETETIC PREPARATIONS AND SLIMMING PRODUCTS, FOOD SUPPLEMENTS, GASTRONOMIC PRODUCTS, INCLUDING WINES AND ALCOHOL, THE FITTING OUT OF INTERIORS AND EXTERIORS, TABLE LINEN AND TABLEWARE, HOUSEHOLD LINEN, DECORATIVE OBJECTS, FURNITURE, ELECTRONIC AND ELECTRIC HOUSEHOLD APPLIANCES, COMPUTER AND ELECTRONIC GOODS, TV SETS, HI-FI SETS, VIDEO SETS, TELEPHONY, ROBOTICS, HOME AUTOMATION, SPORT ARTICLES, GAMES AND TOYS AND PRINTED MATTER, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF ERPN CMNTY TM OFC REG. NO. 3,475,365, DATED 10-30-2003, EXPIRES 10-30-2013.

OWNER OF U.S. REG. NOS. 758,137, 2,120,688 AND OTHERS.

Reg. No. 3,727,498 THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS SHE.

SER. NO. 77-642,165, FILED 12-31-2008.

DAVID HOFFMAN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 3,745,516 HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
Registered Feb. 2, 2010 149 RUE ANATOLE FRANCE
LEVALLOIS-PERRET, FRANCE 92300

Int. Cls.: 9, 25, and 26 FOR: DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF MAGAZINES
AND NEWSLETTERS IN THE FIELD OF BEAUTY, FASHION, COOKING, MUSIC,
THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION,
TRADEMARK GARDENING, LANDSCAPING; DOWNLOADABLE RING TONES, LOGOS, PHOTOS,
PRINCIPAL REGISTER FASHION AND BEAUTY VIDEOS, GAMES AND HOROSCOPES VIA A GLOBAL COMPUTER
NETWORK AND WIRELESS DEVICES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-15-2005; IN COMMERCE 6-1-2006.

FOR: SLEEPWEAR, NAMELY, SHORT AND LONG GOWNS, PAJAMAS, SLEEPSHIRTS,
ROBES, TOPS, SHORTS; HEADBAND, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-31-2005; IN COMMERCE 8-31-2005.

FOR: ALL KINDS OF HAIR ACCESSORIES, NAMELY, BARRETTES, BOWS, ELASTIC
RIBBONS, HAIR CLIPS, HAIR BANDS, PONYTAIL HOLDERS, HAIR PINS, NON-ELECTRIC
HAIR ROLLERS, TWISTERS, HAIR ORNAMENTS, IN CLASS 26 (U.S. CLS. 37, 39, 40, 42
AND 50).

FIRST USE 5-31-2004; IN COMMERCE 5-31-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 862,001, 2,708,222, AND OTHERS.

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS SHE.

SN 78-981,251, FILED 12-20-2005.

DANIEL BRODY, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

ELLE

Reg. No. 4,284,558

Registered Feb. 5, 2013

Int. Cls.: 9, 38, 41, 42, 44
and 45

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
149, RUE ANATOLE, 92534 LEVALLOIS-PERRET
CEDEX, FRANCE

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FOR: (BASED ON 44(E)) VIDEO RECORDINGS FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, AS WELL AS HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: (BASED ON USE IN COMMERCE) TRANSMISSION AND BROADCAST OF IMAGES, SOUNDS, DATA, INFORMATION BY COMPUTER TERMINALS; PROVIDING USER ACCESS TO A GLOBAL COMPUTER NETWORK; INTERACTIVE COMMUNICATION SERVICES, NAMELY, INTERACTIVE DELIVERY OF VIDEO OVER DIGITAL NETWORKS, TRANSMISSION OF SOUND AND VISION VIA SATELLITE OR INTERACTIVE MULTIMEDIA NETWORKS; INFORMATION TRANSMISSION SERVICES VIA DIGITAL NETWORKS DESIGNED FOR PUBLIC INFORMATION; COMMUNICATIONS ON COMPUTER NETWORKS IN GENERAL; TRANSMISSION OF INFORMATION BY ELECTRONIC MEANS; PROVIDING DISCUSSION FORUMS ON THE INTERNET; VIRTUAL CHAT ROOMS ESTABLISHED VIA TEXT MESSAGING; INSTANT MESSAGING SERVICES; WIRELESS ELECTRONIC TRANSMISSION OF VOICE SIGNALS, DATA, FACSIMILES, IMAGES AND INFORMATION (BASED ON 44(E)) TELEVISION AND RADIO BROADCASTING SERVICES, INCLUDING CABLE TRANSMISSIONS OF SUCH SERVICES; COMMUNICATION SERVICES, NAMELY, CABLE TELEVISION TRANSMISSION SERVICES; TRANSMISSION AND BROADCAST OF IMAGES, SOUNDS, DATA, INFORMATION BY CABLE, BY DATA COMMUNICATIONS CHANNEL, NAMELY, CABLE, SATELLITE AND FIBER OPTICS AND VIA TELECOMMUNICATION NETWORKS, WIRELESS COMMUNICATION NETWORKS AND THE INTERNET; BROADCASTING OF RADIO AND TELEVISION PROGRAMS; PROVIDING ONLINE FORUMS FOR TRANSMISSION OF MESSAGES IN THE FIELDS OF LITERATURE, EDUCATION, HOME DECORATION, PUBLICATION OF BOOKS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).



FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

Sean M. Hest
Acting Director of the United States Patent and Trademark Office

FOR: (BASED ON USE IN COMMERCE) ONLINE PUBLICATION OF BOOKS, PERIODICALS, NEWSPAPER, MAGAZINES, ILLUSTRATIONS; PROVIDING AN ONLINE MAGAZINE FEATURING INFORMATION IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING; ENTERTAINMENT SERVICES, NAMELY,

Reg. No. 4,284,558 PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELDS OF ENTERTAINMENT, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, AND EDUCATION; PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELDS OF MUSIC, AND COMMENTARY AND ARTICLES OF GENERAL INTEREST ISSUES IN THE FIELDS OF ENTERTAINMENT AND GAMES; (BASED ON 44(E)) ENTERTAINMENT IN THE NATURE OF BEAUTY PAGEANTS; PRODUCTION OF TELEVISION PROGRAMS; ENTERTAINMENT SERVICES IN THE NATURE OF A CABLE TELEVISION VARIETY SHOW FEATURING FASHION AND BEAUTY; VIDEO TAPE FILM PRODUCTION; SERVICES FOR THE PUBLIC ENTERTAINMENT, NAMELY, ORGANIZATION OF SHOWS FOR CULTURAL PURPOSES; ORGANIZATION OF CONFERENCES, FORUMS, CONGRESSES, COLLOQUIUMS IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, MEDIA FOR NON BUSINESS PURPOSES; PRODUCTION AND EDITING OF MOVIE, RADIO AND TELEVISION PROGRAMS, INCLUDING COMPUTER EDITING OF TEXTS AND STILL OR ANIMATED IMAGES AND MUSICAL OR NON-MUSICAL SOUND, FOR INTERACTIVE USE OR NOT; ORGANIZATION OF SPORTS COMPETITIONS AND ARRANGING AND CONDUCTING COMPETITIONS IN THE FIELDS OF FITNESS AND EXERCISE, FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, CHILD AND ADOLESCENT EDUCATIONAL ISSUES, HOME DECORATION, GARDENING, LANDSCAPING, AND MEDIA; ORGANIZATION OF GAMES AND LOTTERIES; PRODUCTION AND EDITING OF RADIO INFORMATION AND ENTERTAINMENT PROGRAMS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING ON-LINE COMPUTER GAMES; PROVIDING A WEB SITE FEATURING NON DOWNLOADABLE MUSICAL PERFORMANCES, MUSICAL VIDEOS, VIDEO RECORDINGS AND RELATED FILM CLIPS; ASSISTING OTHERS WITH ONLINE ELECTRONIC PUBLISHING; PROVIDING OF INFORMATION VIA THE INTERNET IN THE FIELDS OF LITERATURE AND EDUCATION; PUBLICATION OF BOOKS; PUBLISHING OF ILLUSTRATIONS, BOOKS, NEWSPAPERS, AND VIDEO-CASSETTE TAPES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

FOR: (BASED ON USE IN COMMERCE) COMPUTER SERVICES, NAMELY, INTERACTIVE HOSTING SERVICES WHICH ALLOW THE USER TO PUBLISH AND SHARE THEIR OWN CONTENT AND IMAGES ONLINE; PROVIDING SEARCH ENGINES ON THE INTERNET; HOSTING A WEBSITE ALLOWING USERS TO DOWNLOAD TEXTS, PRESS ARTICLES, PHOTOGRAPHS, TELEGRAMS, PICTURES, LOGOS, MESSAGES, DATA, SOUNDS, RINGTONES, MUSIC, GAMES, VIDEO, AND INFORMATION; PROVIDING CUSTOMER-GENERATED CONTENT IN THE NATURE OF CUSTOMIZED WEB PAGES AND OTHER DATA FEED FORMATS FEATURING USER-DEFINED INFORMATION; HOSTING DIGITAL CONTENT OF OTHERS AUTOMATICALLY SELECTED AND CUSTOMIZED BASED ON THE KNOWN OR ESTIMATED GEOGRAPHICAL LOCATION OF AN INTERNET, MOBILE TELEPHONE OR OTHER WIRED OR WIRELESS DIGITAL NETWORK BASED CUSTOMER; (BASED ON 44(E)) PROVIDING A WEBSITE ALLOWING USERS TO UPLOAD AND DOWNLOAD ELECTRONIC FILES, COMPUTER PROGRAMMING SERVICES; CREATING AND DESIGNING WEB PAGES FOR OTHERS; PROVIDING SEARCH PLATFORMS TO ALLOW USERS TO REQUEST CONTENT FROM AND RECEIVE CONTENT TO A MOBILE DEVICE; DESIGN, DEVELOPMENT AND HOSTING OF DATA BANKS, DATABASES AND WEBSITES FOR OTHERS; PROVIDING OF INFORMATION VIA THE INTERNET IN THE FIELD OF HOME DECORATION; PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF HOME DECORATION, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-31-2002; IN COMMERCE 1-31-2002.

FOR: (BASED ON USE IN COMMERCE) PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF BEAUTY; PROVIDING AN ONLINE SERVICE FEATURING

Reg. No. 4,284,558 PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF BEAUTY,
IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

FOR: (BASED ON USE IN COMMERCE) PROVIDING A WEB SITE FEATURING INFORMATION AND CONTENT IN THE FIELDS OF PERSONAL RELATIONSHIPS, DATING AND FASHION; PROVIDING HOROSCOPE INFORMATION VIA COMPUTER NETWORKS; PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF FASHION, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF FRANCE REG. NO. 053363763, DATED 6-8-2005, EXPIRES 6-8-2015.

OWNER OF FRANCE REG. NO. 94543958, DATED 11-9-1994, EXPIRES 11-9-2014.

SER. NO. 85-061,017, FILED 6-11-2010.

JAMES GRIFFIN, EXAMINING ATTORNEY

Int. Cls.: 9, 16, 38, 40, 41 and 42

Prior U.S. Cls.: 2, 14, 22, 26, 37, 38, 100, 104,
106 and 107

Reg. No. 1,668,272

United States Patent and Trademark Office Registered Dec. 17, 1991

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ELLEDECOR

FRANCE EDITIONS ET PUBLICATIONS
(FRANCE CORPORATION)
2 RUE ANCELLE
92200 NEUILLY-SUR-SEINE, FRANCE

FOR: DATA PROCESSING EQUIPMENT AND COMPUTERS; COMPUTER FURNITURE; BLANK INFORMATION HOLDERS AND CARRIERS FOR COMPUTER PROGRAMS; NAMELY, CARDS, BANDS, TAPES, RIBBONS, DRUMS, CASSETTES, DISCS, SHEETS AND FILMS; COMPUTER SOFTWARE PROGRAMS AND TEACHING APPARATUS AND INSTRUMENTS CONSISTING OF COMPUTER DRIVE PERIPHERALS AND SOFTWARE AND COMPUTER FURNITURE FOR USE IN THE FIELD OF CONSULTING SERVICES ON INTERIOR AND EXTERIOR DECORATING, ARCHITECTURE, LANDSCAPING, GARDENING AND HORTICULTURE, CUISINE, ART AND SCULPTURE, ARTIFACTS, ANTIQUES AND COLLECTIONS, FURNITURE, HOUSEHOLD ACCESSORIES, ACCOUTREMENTS AND FIXTURES, CRITIQUES OF RESIDENCES, BIOGRAPHICAL SKETCHES, ELECTRONICS FOR THE HOME, NATIONAL AND INTERNATIONAL LIFESTYLES, TRAVEL, TOURISM AND PHOTOGRAPHY, IN CLASS 9 (U.S. CLS. 26 AND 38).

FOR: PRINTED MATTER AND PERIODICALS; NAMELY, NEWSPAPERS, REVIEWS, PAMPHLETS, BROCHURES, NEWSLETTERS, INFORMATION OR ADVERTISING LETTERS, JOURNALS AND MAGAZINES IN THE

FIELDS OF INTERIOR AND EXTERIOR DECORATING, ARCHITECTURE, LANDSCAPING, GARDENING AND HORTICULTURE; CUISINE; ART AND SCULPTURE, ARTIFACTS, ANTIQUES AND COLLECTIONS; FURNITURE; HOUSEHOLD ACCESSORIES, ACCOUTREMENTS, AND FIXTURES; CRITIQUES OF RESIDENCES, BIOGRAPHICAL SKETCHES; ELECTRONICS FOR THE HOME; NATIONAL AND INTERNATIONAL LIFESTYLES, TRAVEL, TOURISM AND PHOTOGRAPHY; STATIONERY; STATIONERY BOXES, CABINETS, FOLDERS, WRITING PAPER AND ENVELOPES; PAPER; NAMELY, BOND, CARBON, CONSTRUCTION, CORRUGATED, CREPE, FIBER, FILLER, ILLUSTRATION, LINING, MAGNETIC, MIMEOGRAPH, NEWS-PRINT, NOTE, ONION SKIN, PACKING, PRINTING REPRODUCTION, TRACING, TYPEWRITTEN AND WRAPPING; PAPERBOARD; BLANK OR PARTIALLY PRINTED POSTCARDS; POSTER BOARD; PRINTING BLOCKS; CARDS; NAMELY, BLANK, BUSINESS, FILE, INDEX, GIFT AND GREETING, NOTE, PLAYING, RECORD AND SCORE CARDS; CARDBOARD CONTAINERS (BOXES) FOR WRAPPING AND PACKAGING; PLASTIC FOR WRAPPING, IN CLASS 16 (U.S. CLS. 2, 14, 22, 37 AND 38).

FOR: TELECOMMUNICATIONS SERVICES; TELEPHONE COMMUNICATION SERVICES; AUDIO VISUAL AND VIDEO COMMUNICATION SERVICES; NAMELY, AUDIO VISUAL, CABLE, AND SATELLITE TELECOMMUNICA-

TION BROADCAST AND TELEPHONE TRANSMISSION SERVICES, HOME VIDEO, AND RECORDED MUSIC SERVICES; TELEGRAPH SERVICES; CABLE TELEGRAM TRANSMISSION AND COMMUNICATION SERVICES; ELECTRONIC MAIL SERVICES, PROVIDING ELECTRONIC ACCESS TO DATABANKS; TELECONFERENCING SERVICES; TELETYPE COMMUNICATION SERVICES; OPERATING CLOSED CIRCUIT TELEVISION FOR OTHERS; AUDIO VISUAL AND VIDEO INFORMATION AND COMMUNICATION UTILIZING TELECOMPUTER TERMINAL UNITS, PERIPHERAL SYSTEMS AND VIDEO DISPLAY SYSTEMS, IN CLASS 38 (U.S. CLS. 100 AND 104).

FOR: FILM, VIDEO TAPE AND AUDIO TAPE DUPLICATION SERVICES, IN CLASS 40 (U.S. CL. 106).

FOR: EDUCATIONAL AND TRAINING SERVICES IN THE USE AND OPERATION OF LICENSEES, COMMERCIAL CONCESSIONS AND FRANCHISING NETWORKS, INCLUDING BASIC TRAINING FOR PERSONNEL; FASHION TRENDS AND CLOTHING DESIGN; INTERIOR DECORATING; SEWING AND WEAVING; HOME FURNISHINGS, DESIGN AND DECORATION OF SHUTTERS, SILK PAINTING; HOME ECONOMICS, ALL CONDUCTED THROUGH COURSES, SEMINARS, TUTORIALS, CONFERENCES, COLLOQUIES, LECTURES, AND CLOSED CIRCUIT TELEVISION BROADCASTS; PRODUCTION OF RADIO AND TELEVISION PROGRAMS; PUBLICATION OF BOOKS, ILLUSTRATIONS, MAGAZINES, AND NEWSPAPERS; CORRESPONDENCE COURSES IN THE FIELD OF ENTERTAINMENT SERVICES THROUGH THE USE OF TELEVISION AND/OR RADIO, INVOLVING NEWS, DOCUMENTARY, PLAYS, MOVIES, DOCU-DRAMA, MELODRAMA, SPORTS, COMEDY, VARIETY SHOWS, GAME

SHOWS, SERIALS, EDUCATION, NATURE, PUBLIC INFORMATION, BUSINESS, POLITICAL AND SOCIAL COMMENTARY, AND PUBLIC DEBATE PROGRAMS; FILM, VIDEO TAPE AND AUDIO TAPE PRODUCTION SERVICES; FILM VIDEOTAPE RENTAL SERVICES; AUDIO TAPE RECORDING STUDIO SERVICES, AND RECORD MASTER PRODUCTION SERVICES, IN CLASS 41 (U.S. CLS. 100 AND 107).

FOR: NEWS AGENCY SERVICES, NAMELY, GATHERING AND DISSEMINATION OF NEWS, NEWS CLIPPING SERVICES, AND PROVIDING INFORMATION TO NEWSPAPERS, OTHER NEWS SERVICES, MAGAZINES, PUBLISHERS, LOCAL TELEVISION STATIONS AND NATIONAL TELEVISION NETWORKING, PUBLIC BROADCASTING STATIONS, ALL CABLE TELEVISION NETWORKS, SATELLITE NETWORKS AND SYSTEMS; SYNDICATED NEWS PROGRAMS, SYNDICATED COLUMNISTS, NATIONAL SYNDICATORS, AND RADIO STATIONS IN THE FIELD OF NATIONAL AND INTERNATIONAL NEWS, BUSINESS, SPORTS, POLITICS, DIPLOMACY, ENTERTAINMENT, SCIENCE AND MEDICINE, AND COMMENTARY, IN CLASS 42 (U.S. CLS. 100 AND 104).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 143871, FILED 7-17-1989, REG. NO. 1541556, DATED 7-17-1989, EXPIRES 7-17-1999.

OWNER OF U.S. REG. NOS. 758,137, 1,314,558 AND OTHERS.

THE ENGLISH TRANSLATION OF THE FRENCH WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 74-017,819, FILED 1-10-1990.

JOHN MICHOS, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cl.: 38

Reg. No. 1,732,988

United States Patent and Trademark Office Registered Nov. 17, 1992

**TRADEMARK
PRINCIPAL REGISTER**

ELLE DECOR

FRANCE EDITIONS ET PUBLICATIONS
(FRANCE CORPORATION)
2 RUE ANCELLE
92200 NEUILLY-SUR-SEINE, FRANCE

FOR: MAGAZINES FEATURING INTERIOR
AND EXTERIOR DECORATING, ARCHITECTURE,
LANDSCAPING, GARDENING AND HORTICULTURE;
CUISINE; ART AND SCULPTURE, ARTIFACTS,
ANTIQUES AND COLLECTIONS, FURNITURE;
HOUSEHOLD ACCESSORIES, ACCOUTREMENTS,
AND FIXTURES; CRITIQUES OF RESIDENCES;
BIOGRAPHICAL SKETCHES; ELECTRONICS FOR
THE HOME; NATIONAL AND INTERNATIONAL

AL LIFESTYLES, TRAVEL, TOURISM AND
PHOTOGRAPHY, IN CLASS 16 (U.S. CL. 38).
FIRST USE 10-3-1989; IN COMMERCE
10-3-1989.

OWNER OF U.S. REG. NOS. 1,654,884 AND
1,668,272.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "DECOR", APART FROM THE
MARK AS SHOWN.

THE ENGLISH TRANSLATION OF THE
WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 74-232,527, FILED 12-23-1991.

CHERYL LYNN BLACK, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

ELLE
girl

Reg. No. 3,730,569 HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)
Registered Dec. 29, 2009 149-151 RUE ANATOLE FRANCE
LEVALLOIS-PERRET CEDEX, FRANCE 92534

Int. Cls.: 9, 38, 41, 42, 44 and 45 FOR: DOWNLOADABLE ELECTRONIC NEWSLETTERS IN THE FIELD OF GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN, IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, GAMES, VIDEO RECORDINGS FEATURING MUSIC, GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN, IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, GAMES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: VIRTUAL CHAT ROOMS ESTABLISHED VIA TEXT MESSAGING; INSTANT MESSAGING SERVICES; WIRELESS ELECTRONIC TRANSMISSION OF VOICE SIGNALS, DATA, FACSIMILES, IMAGES AND INFORMATION, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: PROVIDING ON-LINE PUBLICATIONS IN THE NATURE OF AN ONLINE MAGAZINE, DEALING WITH GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN; ONLINE MAGAZINE FEATURING INFORMATION IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT; ENTERTAINMENT SERVICES, NAMELY, PROVIDING ON-LINE COMPUTER GAMES; ENTERTAINMENT SERVICES, NAMELY, PROVIDING A WEB SITE FEATURING MUSICAL PERFORMANCES, MUSICAL VIDEOS, VIDEO RECORDINGS, RELATED FILM CLIPS, PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS; PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF MUSIC, AND COMMENTARY AND ARTICLES OF GENERAL INTEREST ISSUES FOR GIRLS AND YOUNG WOMEN, IN THE FIELDS OF ENTERTAINMENT AND GAMES; ALL ON-LINE VIA A GLOBAL COMPUTER NETWORK, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.



David J. Kappas

Director of the United States Patent and Trademark Office

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH PLATFORMS TO ALLOW USERS TO REQUEST CONTENT FROM AND RECEIVE CONTENT TO A MOBILE DEVICE; COMPUTER SERVICES, NAMELY, INTERACTIVE HOSTING SERVICES WHICH ALLOW THE USER TO PUBLISH AND SHARE THEIR OWN CONTENT AND IMAGES ONLINE;

Reg. No. 3,730,569 PROVIDING CUSTOMER-DEFINED GENERATED CONTENT AND CONTENT OF OTHERS AUTOMATICALLY SELECTED AND CUSTOMIZED BASED ON THE KNOWN OR ESTIMATED GEOGRAPHICAL LOCATION OF AN INTERNET, MOBILE TELEPHONE OR OTHER WIRED OR WIRELESS DIGITAL NETWORK BASED CUSTOMER, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF BEAUTY, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

FOR: PROVIDING A WEB SITE FEATURING INFORMATION AND CONTENT IN THE FIELDS OF PERSONAL RELATIONSHIPS, DATING AND FASHION; PROVIDING HOROSCOPE INFORMATION VIA COMPUTER NETWORKS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 8-31-2007; IN COMMERCE 8-31-2007.

OWNER OF U.S. REG. NOS. 758,137, 2,737,728 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GIRL", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE WORD "ELLE GIRL" IN STYLIZED LETTERING; THE WORD "ELLE" ABOVE THE WORD "GIRL" WHICH IS IN A LARGER SIZE THAN THE WORD "ELLE".

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS SHE.

SER. NO. 77-596,109, FILED 10-20-2008.

JAMES A. RAUEN, EXAMINING ATTORNEY